Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 913-05865-1323-733	Date: 03/22/13	Time: 2220 hours	
Location: [redacted] Levelside Avenue	City or Station: Lakewood		
Bureau/Station/Facility: Lakewood Station / South Patrol Division	Admin. Investigation: ○ YES ⦿ NO		
Type of Force: Control Holds, Take Down, Personal Weapons, OC Spray, Hobble, TARP			
Incident Category: ○1 ○2 ⦿3	Deputy Injury: ○ YES ⦿ NO	Suspect Injury ⦿ YES ○ NO	
☐ Call ☒ Observation ☐ Detail	☐ Foot Pursuit ☒ Vehicle Pursuit		
IAB Notified: ⦿YES ○ NO	Person Notified: Lt. Libertone	Emp: [redacted]	IAB Roll Out ⦿ YES ○ NO

Involved Employee

E1

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: DSG		
Sex: ⦿ M ○ F	Race: W	Height: 5'10"	Weight: 185	Age: [redacted]	Shift: ⦿ EM ○ Day ○ PM	⦿ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lakewood Station	Work Assignment (Unit #, Module, etc.): 133T1					
Individual Force Used: Control Holds, Take Down, Personal Weapons	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ○2 ⦿3				
☐ Injured ☐ Treated ☐ Admitted Facility:	Coroner Case #					

E2

Employee #: [redacted]	Last Name: Alvarado	First Name: Benjamin	Middle I.: J.	Rank: DSG		
Sex: ⦿ M ○ F	Race: H	Height: 5'05"	Weight: 180	Age: [redacted]	Shift: ⦿ EM ○ Day ○ PM	⦿ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lakewood Station	Work Assignment (Unit #, Module, etc.): 135B					
Individual Force Used: Control Holds, OC Spray, Personal Weapons	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ○2 ⦿3				
☐ Injured ☐ Treated ☐ Admitted Facility:	Coroner Case #					

E3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.:	Rank: DSG		
Sex: ⦿ M ○ F	Race: H	Height: 6'01"	Weight: 187	Age: [redacted]	Shift: ○ EM ○ Day ⦿ PM	⦿ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lakewood Station	Work Assignment (Unit #, Module, etc.): 132D					
Individual Force Used: Control Holds, TARP	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ⦿2 ○3				
☐ Injured ☐ Treated ☐ Admitted Facility:	Coroner Case #					

On Duty Supervisor ☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	YES ○ NO ⦿	YES ○ NO ⦿

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	(IAB) Denison	Trent		SGT	YES ○ NO ⦿	YES ○ NO ⦿

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Malone	Alicia	M.	Lt.

Lt. Malone (IAB) 2/3/14

Watch Commander / Supervising Lieutenant's **Signature**: Date Copy Provided to Employee by: Emp #:

Captain Merrill E. Ladenheim

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: [redacted] Date

DISCOVERY Use Only
FO# 2331587

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

9 1 3 - 0 5 8 6 5 - 1 3 2 3 - 7 3 3

Involved Employee

E4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(●) M ( ) F	B	5'10"	180	[redacted]	(●) EM ( ) Day ( ) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: Lakewood Station

Work Assignment (Unit #, Module, etc.): 136B

Individual Force Used: Resisted Handcuffing, Hobble Restraint

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category (●) 1 ( ) 2 ( ) 3

Coroner Case #

☐ Injured ☐ Treated ☐ Admitted Facility: ____

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category ( ) 1 ( ) 2 ( ) 3

Coroner Case #

☐ Injured ☐ Treated ☐ Admitted Facility: ____

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category ( ) 1 ( ) 2 ( ) 3

Coroner Case #

☐ Injured ☐ Treated ☐ Admitted Facility: ____

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category ( ) 1 ( ) 2 ( ) 3

Coroner Case #

☐ Injured ☐ Treated ☐ Admitted Facility: ____

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category ( ) 1 ( ) 2 ( ) 3

Coroner Case #

☐ Injured ☐ Treated ☐ Admitted Facility: ____

Supervisor's Report on Use of Force
SUSPECT INFORMATION

9 1 3 - 0 5 8 6 5 - 1 3 2 3 - 7 3 3

Suspect Information

S 1

Last Name: Felix | First Name: Thomas | Middle Name: Quintero | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 32 | Height: 5'04" | Weight: 145 | D.O.B: 04-03-80 | Phone #1: (●) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3502583 | Primary Charge Code: 487(d)(1) PC | Secondary Charge Code: 2800.2 CVC | ☒ Criminal History

Treated on Scene? (●) YES ( ) NO | Name: LA County Fire Dept. | Unit: 122 | Phone #: 562-421-7713

Hospital Admission? ☐ | Rec'd Treatment At: Lakewood Regional | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Zielinski | Address: 3700 E. South St. Lakewood CA 90712 | Phone #: 562-532-2550

Under Influence: ( ) YES (●) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 02-23-13 | Time: 0257 | ☐ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

913 - 05865 - 1323 - 733

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.	Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]		71	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		74	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		82	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		57	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		50	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		56	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		48	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		46	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		36	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Felix	S	[redacted]	E1	UC	NN	
[redacted]	E1	Felix	S	TD	NN	SH
Felix	S	[redacted]	E1	PK	NN	
[redacted]	E1	Felix	S	PH	AB	FA
Felix	S	Alvarado	E2	PK	NN	
Alvarado	E2	Felix	S	PH	AB	FA
Felix	S	Alvarado	E2	PK	NN	
Alvarado	E2	Felix	S	OC	CP	FA
Alvarado	E2	Felix	S	PH	CP	BK
Felix	S	Alvarado	E2	PK	NN	
Alvarado	E2	Felix	S	PK	FR	CH
Felix	S	[redacted]	E3	PK	NN	
[redacted]	E3	Felix	S	HB	NN	AK
Felix	S	[redacted]	E4	PK	NN	
[redacted]	E4	Felix	S	TP	NN	AK

INVESTIGATIVE SUMMARY

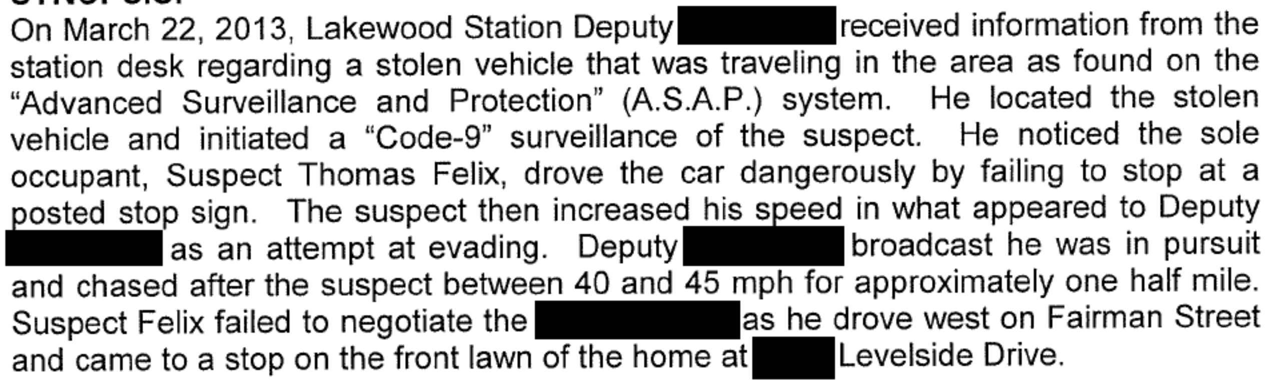
COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY
CATAGORY 3 USE OF FORCE
(Fractured Rib)

UNIT:	Lakewood Station
DATE:	Friday, March 22, 2013
TIME:	2215 hours
LOCATION:	[redacted] Levelside Drive, Lakewood
URN#:	913-05865-1323-733
IAB#:	FO2331587

On March 22, 2013, IAB investigators were informed of a Category 3 use of force which occurred earlier in the evening. During the incident, the suspect received a broken rib. The extent of the suspect's injury was not known at the time and was found during his treatment at the hospital later. Therefore, the crime scene had not been preserved and IAB investigators did not respond. Sergeant Trent Denison was given the responsibility of the Force Review Investigation.

This investigation is based on statements by the involved deputies, witnesses at the scene, and information obtained during the investigation, along with various written documentation included in the Incident Report and Supplemental Reports **[Exhibit A]**.



SYNOPSIS:
On March 22, 2013, Lakewood Station Deputy [redacted] received information from the station desk regarding a stolen vehicle that was traveling in the area as found on the "Advanced Surveillance and Protection" (A.S.A.P.) system. He located the stolen vehicle and initiated a "Code-9" surveillance of the suspect. He noticed the sole occupant, Suspect Thomas Felix, drove the car dangerously by failing to stop at a posted stop sign. The suspect then increased his speed in what appeared to Deputy [redacted] as an attempt at evading. Deputy [redacted] broadcast he was in pursuit and chased after the suspect between 40 and 45 mph for approximately one half mile. Suspect Felix failed to negotiate the [redacted] as he drove west on Fairman Street and came to a stop on the front lawn of the home at [redacted] Levelside Drive.

Suspect Felix ignored commands to stay in the car and exited, and then he laid face down on the front lawn. Suspect Felix then jumped up and slowly walked toward Deputy [redacted] stating, "Fuck you! I didn't do anything wrong," and, "Fuck this! Let's do it; it's my car. I didn't steal it." Deputy [redacted] felt threatened so he took Suspect Felix to the ground by placing him in a bear hug and used his body weight to pull Felix down. He did so in order to place Felix in custody since he would not obey commands to get on the ground.

Suspect Felix fought by thrashing his body about, throwing his elbows backward toward Deputy [redacted] and other responding deputies and he kicked at them while trying to get to his feet. Deputy [redacted] punched Suspect Felix on the face four to five times, which had no effect, and Deputy Alvarado sprayed Felix with OC spray, which also had no effect. Suspect Felix continued to struggle and kick at the deputies. Deputy Alvarado, in order to get Suspect Felix to stop fighting, struck Felix two times on the left side rib cage with his right knee. Suspect Felix continued to kick his feet and flail his body about during the struggle while resisting efforts to handcuff him. Deputy Alvarado utilized a downward elbow strike to Suspect Felix' shoulder in an attempt to gain his compliance in handcuffing. While assisting deputies helped place Suspect Felix in handcuffs, Deputy [redacted] applied the Hobble Restraint to Felix' ankles. Felix still kicked his legs about and tried to get up so Deputy [redacted] utilized the Total Appendage Restraint Procedure (TARP) and immediately placed Suspect Felix on his left side to monitor his breathing. The TARP was removed from Suspect Felix after approximately eight minutes, which was after he stopped struggling against the restraint.

Lakewood Station Field Supervisor, [redacted] responded and filmed the scene and his interviews of Suspect Felix and three witnesses. For more information, see the included video on the CD's in **Exhibit B**. Also included in Exhibit B is a CD containing the video interview of Suspect Felix by Lakewood Station Watch Commander Lieutenant A. Malone.

Suspect Felix was transported via ambulance to the hospital for treatment of OC contamination and because of his complaint of pain to his left rib cage area. It was then discovered he had a broken left rib. For more information, see the medical treatment paperwork included in **Exhibit C**.

Included with this investigation are Compact Disks containing the audio recording of Deputy [redacted] calling the pursuit. A transcription of the pursuit is also included in **Exhibit A**.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY:

Deputy [redacted]

Date of Employment	09-14-05
Date assigned to Lakewood	03-16-08

Deputy Benjamin Alvarado #[redacted]

Date of Employment	07-14-05
Date assigned to Lakewood	08-26-07

Deputy [redacted]

Date of Employment	10-22-91
Date assigned to Lakewood	12-18-11

Deputy [redacted]

Date of Employment	09-14-05
Date assigned to Lakewood	03-16-08

SUSPECT
Felix, Thomas MH/04-03-80, 5'04", 185lbs.
[redacted]

INJURIES
Suspect Felix received a fractured left rib and a small area of redness was observed on his face.
No Department personnel were injured during this incident.

PHYSICAL EVIDENCE
None

INVESTIGATOR'S OBSERVATIONS
At the location on March 27, 2013, (terminus of the pursuit) IAB investigators noticed two deep tire track impressions on the front lawn of the residence of [redacted] Levelside Drive. The tire tracks stopped several feet away from the front wall of the home. There were also tire skid marks on the curb and sidewalk leading up to the damaged grass, which indicated the suspect's vehicle point of impact as it jumped the curb.

Investigators viewed the clothing worn by Suspect Felix and photographed the clothing in response to claims made by Suspect Felix. Investigators found no rips, tears or other signs of damage and the fasteners were all operable. The photographs are included on the CD in the Miscellaneous section.

WEAPONS USED BY DEPUTY PERSONNEL
Personal weapons, OC spray

WEAPONS USED BY SUSPECT
Personal weapons

PROPERTY DAMAGE
The front lawn of the residence at [redacted] Levelside Drive was damaged by deep gouge type marks made by the suspect's vehicle tires.

CRIMINAL INVESTIGATOR and CHARGES FILED
Investigator: Lakewood Station Detective Bureau
Suspect Felix was sentenced to sixteen months in State Prison on 09-09-13 for felony evading arrest 2800.2 (A) CVC.

LIGHTING AND WEATHER CONDITIONS
The weather was cool, dry and dark at the time of the incident. Ambient lighting was provided by street lights directly in front of the location of the force incident and the headlights and spotlights of multiple radio cars.

SCENE DESCRIPTION
The location is a single family residence on a residential street. The location is on the [redacted] side of the roadway at the [redacted] of Levelside Drive and Fairman Street.

INVOLVED AND WITNESS DEPUTY STATEMENTS
The following is a summary of the involved and witness deputy statements. For more information and exact wording, see the attached verbatim interview transcriptions.

Deputy [redacted] told IAB investigators that he was notified by Lakewood Station desk personnel that a stolen car had been identified by the ASAP system. He located the stolen car a short distance away and initiated a "Code-9" surveillance. While following the stolen car, he ran the license plate to confirm the vehicle's status. Within seconds of following the stolen car, he noticed the suspect took evasive action by failing to stop for a posted stop sign and speeding up. Deputy [redacted] said he initiated a pursuit per Department protocol.

IAB note: **Investigators reviewed the audio recording of the pursuit and noticed Deputy [redacted] formed a tactical plan during the pursuit to have a unit set up a containment should the suspect run from the car. He is heard broadcasting the required information while in pursuit.**

Deputy [redacted] said the pursuit lasted a matter of seconds before Suspect Felix failed to negotiate the turn at the location and stopped on the front lawn of a residence. Deputy [redacted] said he stopped several car lengths behind and offset to the suspect vehicle. He stayed at his open door while giving Suspect Felix orders to stay in the car. Felix did not comply and exited. He then layed flat on the grass as directed, but, suddenly, got up and cussed at him. Suspect Felix walked diagonally away from the stolen car and onto the front lawn one house south of where he had stopped the car. Deputy [redacted] believed Suspect Felix was trying to distance himself from the stolen car and he did not know if there were more suspects remaining in the stolen car. Deputy [redacted] did not want Suspect Felix to get too far south of the car as it would put him at a tactical disadvantage should there be more suspects in the car. He knew his assisting units were a short time away because he heard the responding sirens and he had broadcast his position. He decided to flank Suspect Felix in order to keep Felix in line with the stolen car instead of splitting his area of focus between Felix and the stolen car. As he walked south in step with Suspect Felix, he closed the distance between them and gave Felix orders to get on the ground. Felix did not comply, but continued cussing at him and walked at an angle toward him. When they were approximately ten feet apart, he holstered his weapon since he did not feel the situation would require deadly force and he knew he should go hands on with Suspect Felix to apprehend him. He wanted both his hands free to do so.

Deputy [redacted] grabbed hold of Suspect Felix in a bear hug and used his body weight to drop him to the ground. He held on to Felix as they both went down and Felix landed on his stomach and immediately tried to stand up. Deputy [redacted] straddled Felix on his lower back, using his body weight to hold him down and tried to gain control of Felix' arm to handcuff him. Felix struggled by swinging his arms backward, twisting his body around to face Deputy [redacted] and flailing his feet about. In order to gain compliance, Deputy [redacted] punched Felix on the side of his face four to five times, however, the strikes had little to no effect. Deputy Alvarado arrived within seconds of the fight and was able to place one handcuff on Suspect Felix but, could not adequately control Felix to handcuff the other wrist.

Deputy [redacted] said Deputy Alvarado sprayed Suspect Felix with O/C spray, however, it did not stop Felix from fighting with them. He did not see Deputy Alvarado use any other force. He said his initial punches, along with Deputy Alvarado's use of O/C spray did not stop Felix from struggling with them and attempting to get up. He then punched Felix on the face two to three more times in attempt to gain compliance for handcuffing. More assisting units arrived and he told some of the deputies to check the stolen car for other suspects and others to assist him in handcuffing Suspect Felix.

Deputy [redacted] said Deputy [redacted] applied the Hobble Restraint because Felix continued to kick. He said he was told Deputy [redacted] applied the Total Appendage Restraint Procedure (TARP), however, he did not witness Deputy [redacted] do so since he was relieved by fellow deputies and walked a short distance away.

Deputy [redacted] said he only used that force which was necessary to overcome the resistance of Suspect Felix. He utilized tactics trained by the Department, as well as [redacted]

Deputy **Benjamin Alvarado** told IAB investigators he heard Lakewood Station broadcast information about a stolen car identified by the ASAP system and, shortly after, Deputy [redacted] broadcast he had found the stolen car. He responded to assist Deputy [redacted] who went in pursuit of the stolen vehicle.

Deputy Alvarado arrived at the terminus of the pursuit within seconds of Deputy [redacted] and noticed Deputy [redacted] was struggling on the ground with Suspect Felix and trying to control him. He ran to help and was able to gain control of Felix' left wrist and handcuffed it. He noticed Deputy [redacted] was unable to pull Felix' right arm out from between his chest and the ground as Felix resisted. He saw Deputy [redacted] punch Suspect Felix several times on the face, however, the punches did not stop Felix from resisting their efforts to handcuff him. Felix still kicked his legs in an effort to get to his feet.

Deputy Alvarado was on his knees next to Suspect Felix' upper torso while Deputy [redacted] was at Felix' lower body area. In order to gain Felix' compliance, Deputy Alvarado utilized his knee in a pendulum type swinging motion to strike Suspect Felix' left ribcage area. His first attempt resulted in his knee striking the grass and only slightly contacting Suspect Felix left ribcage. He immediately tried again and struck Suspect Felix on the left ribcage area two times in rapid succession. The strikes had little to no effect so he utilized a downward elbow strike one time on Felix' shoulder blade area which caused Felix to momentarily stop resisting. They then were able to handcuff him. He said Deputy [redacted] applied the Hobble Restraint because Suspect Felix was kicking his feet. He said Felix kicked his hobbled feet so Deputy [redacted] applied the TARP and then placed Felix on his left side and monitored him. Suspect Felix struggled for a little while against the TARP then calmed down and was taken to an ambulance.

Deputy [redacted] told IAB investigators he responded to the terminus of the pursuit and assisted Deputies [redacted] and Alvarado handcuff Suspect Felix. When he arrived, Deputy [redacted] and Alvarado were struggling to place handcuffs on Suspect Felix because Felix was kicking his legs and trying to get up from the ground.

Deputy [redacted] assisted putting Suspect Felix' wrist into the second handcuff. Felix continued to struggle and kick so he utilized his Hobble Restraint and placed the Hobble on Felix. He did not see anyone use force against Suspect Felix other than resisted handcuffing with Deputies [redacted] and Alvarado. He did not see the application of the TARP, but, later, someone gave him his Hobble Restraint back.

Deputy [redacted] told IAB investigators he responded to the location to assist Deputy [redacted] in the arrest of Suspect Felix. When he arrived, he saw several deputies trying to hold Suspect Felix on the ground by using their hands and pushing down on Suspect Felix as he lay flat on the ground. Felix had already been handcuffed and the Hobble Restraint had already been placed on him before he arrived. Suspect Felix struggled against the Hobble by kicking his feet and moving his body about. Therefore, Deputy [redacted] took hold of the Hobble and applied the TARP. He said he had been training in the application of the TARP and knew to place Felix on his side to help prevent Felix from suffocating. He placed Suspect Felix on his left side, however, Felix still moved his body about and tried to turn over. Deputy [redacted] utilized his PR24 baton by placing it through Suspect Felix' arms and used it as leverage to keep Felix on his side. He added that he did not use the baton to strike Felix or as a pain compliance tool, but as leverage only. Suspect Felix stopped resisting against the TARP and complied with orders to calm down. Deputy [redacted] removed the TARP eight minutes after its application.

Deputy [redacted] did not see any force used by any of the deputies other than body weight holding Suspect Felix on the ground when he first arrived.

WITNESS STATEMENTS

Witnesses to the incident were identified by Lakewood Station [redacted] at the time of the incident and also later by IAB investigators. The following are summaries of the witness statements. For more information and exact wording, see the attached verbatim interview transcriptions of the IAB interviews and the CD in Exhibit B, which contains the video interview of three witnesses by [redacted].

Witness [redacted] told IAB investigators she was in her home when she heard loud engines and sirens at the intersection by her home.

IAB note: Mrs. [redacted] home is [redacted] the [redacted] of the location.

Mrs. [redacted] said she saw Suspect Felix had crashed a car on the front lawn of her [redacted] and then run from the car. He was tackled to the ground by several deputies in the yard. She noticed Suspect Felix kicked his legs and tried to get away.

Mrs. [redacted] called for her [redacted] to come see what was going on and then she utilized her cell phone to video part of the incident. For more information, see the cell phone video Mrs. [redacted] gave to investigators on the CD in **Exhibit D**.

Witness [redacted] told IAB investigators he was asleep in his room when his [redacted], Witness [redacted], yelled for him to come out to the front of their home. When he got to his porch, he noticed a car on the front yard of his [redacted] home and deputies struggling on the ground with a suspect who was "fighting like crazy." The suspect was yelling something unintelligible and struggling to get to his feet. The deputies held him on the ground and gave orders to stay down and stop fighting. He did not see any of the deputies punch, kick or otherwise strike Suspect Felix nor did he see them use impact weapons on Felix.

Witness [redacted] told IAB investigators she was asleep in her room when she heard sirens [redacted] the street from her home. She saw multiple police cars at her [redacted] home and several deputies were on one knee trying to hold the suspect down. She described Suspect Felix was "like a fish out of water" by flip flopping while on the ground. She heard Felix screaming but could not make out what he was saying or what the deputies were saying to him. She added that no deputies utilized batons nor did she see them punch or kick Suspect Felix. She did not see Suspect Felix Hobbled or TARP'd.

Ms. [redacted] said her [redacted] witnessed the incident as well. IAB investigators contacted her [redacted], [redacted], MW/[redacted], who said he did not see anything and he did not want to be interviewed.

Witness [redacted] told IAB investigators he was watching TV in his home when he heard a commotion on his [redacted]. He went to his [redacted] and noticed two deputies trying to hold Suspect Felix on the front lawn while Felix struggled to get away. He said the deputies were trying to hold Felix on his stomach and they called for more help because Felix wrestled with them. He did not see deputies strike Suspect Felix or use impact weapons on Felix. He said a deputy used his baton as leverage to control Suspect Felix, but did not hit him with it. Mr. [redacted] said Suspect Felix kept trying to get up and yelled that the deputies were hitting him and beating him, however, he said the deputies did not do those things. He added the deputies were able to subdue Suspect Felix by tying his legs up to hobble him. He did not see anyone use O/C spray or any other force than body weight to hold Suspect Felix on the ground.

Witness [redacted] told IAB investigators his [redacted] woke him up on the date of the incident so he went outside to see what was happening. As he stood on his front porch, he noticed a vehicle had landed on his [redacted] front lawn, [redacted] houses down from his. He saw deputies struggling with someone on his [redacted] front

lawn. He said there were a couple of parked cars in his line of view, but he could see deputies' upper torsos as they appeared to be struggling to hold someone on the ground. He heard the deputies tell the person (Suspect Felix) to stop resisting and to stay down. He heard Suspect Felix yell that he was being beaten and hurt. Mr. [redacted] said there was no evidence the deputies were beating Suspect Felix that he could see. After an ambulance arrived, he saw Suspect Felix laying flat on a gurney and placed in the ambulance.

Witness [redacted] told IAB investigators she heard a commotion in [redacted] and looked out her [redacted] to see numerous deputies struggling with a person on the [redacted] lawn. She woke her [redacted], [redacted], and went out to the [redacted]. She could not see the altercation very well because her view was blocked by parked cars [redacted]. She heard deputies yelling for the suspect to get on the ground and described the suspect as on the ground, out of her view already. She did not see anyone utilizing a baton or striking the suspect.

Witness [redacted] told [redacted] she heard a car speeding down her street and slide as if it would not make the turn at Levelside. She went to her [redacted] and saw Deputy [redacted] stop his car, then heard him yell three times for Suspect Felix to get back in his car. Felix did not do as ordered and got out of his car and laid on the ground. Deputy [redacted] yelled two times for Felix to stay on the ground, but Felix got up instead. Deputy [redacted] pointed his gun at Suspect Felix, so she went back inside her home. She then heard more deputies arrive and went back out to her [redacted] to watch. She heard Suspect Felix yelling, "My neck."

Witness [redacted] said all the deputies were calm, polite and very professional when dealing with Suspect Felix. She did not see if force was used on Suspect Felix.

Witness [redacted] told [redacted] she heard the sound of a speeding car and then a sound of impact on her street. She went to her [redacted] and saw Deputy [redacted] pointing his gun at Suspect Felix so she went back inside her home. She came back outside a short time later and saw deputies atop Suspect Felix and holding his arms behind his back. She did not witness anyone using any other force.

Witness [redacted] told [redacted] he heard a speeding car and a bump noise on the street outside his home. He went to his [redacted] with Witnesses [redacted] (his [redacted]) and saw deputies driving "professionally" down his street then stop behind Suspect Felix. He heard Deputy [redacted] tell Suspect Felix several times to get back in his car. He noticed Deputy [redacted] was pointing his gun at Felix so he [redacted] went back inside his home. A short time later, he went back outside and noticed Suspect Felix was belligerent. He saw deputies were on top of Felix on the ground, trying to restrain him. He did not see anyone punch Suspect Felix. He commented all the deputies were "very professional" during the incident.

SUSPECT FELIX STATEMENT

Suspect **Thomas Felix** told IAB investigators he did not steal the car he was driving. He tried to stop during the pursuit but was unable to do so because a bottle had rolled under his pedal which prevented him from stopping. He drove onto the front lawn of a home and got out of his car. He saw a deputy pointing a gun at him and telling him; "I'll blow your head off. Don't move. I'll blow your head off." He then bent down to pick up his cell phone he had dropped and got scared because of the deputy pointing a gun at him. He took a couple steps away from the deputy and then was punched on the face by the deputy. Suspect Felix said the punch made him fall to the ground and then he was punched numerous more times on the face by a Caucasian deputy. He did not fight back, but felt his legs cramp upward because of his being a diabetic. He said he brought his legs upward toward his chest. He added more deputies arrived and punched him about his body while telling him to "quit resisting."

Suspect Felix said he was held on the ground by a deputy sitting on him. He felt one of the deputies spray him with pepper spray and then his legs were pulled straight by someone. He felt someone kick him on his right side ribcage area an unknown amount of times but more than once. After he was kicked, he felt batons used to pry his arms out from under him, but he was not resisting. He said his limbs were being pulled in different directions by different people and his body tensed because of it. Suspect Felix said his legs continued to cramp during the incident. His ankles were tied by someone and he was placed in an ambulance.

Suspect Felix said he felt someone penetrate his anus with a baton while he was on the ground after he was handcuffed. He said his pants were never removed from him and he was unsure how it occurred. (See page 10, 11, 14, 15, 20, 21 of Suspect Felix' interview transcription for more information) Suspect Felix was unable to give details regarding this allegation, other than to say he felt penetration with a baton. He did not report this allegation to the responding field sergeant or anyone else other than the ER doctor later while at the hospital.

IAB note: Suspect Felix reported to Lt. Malone of Lakewood Station that he felt his rectum was penetrated by a baton. For more information, see the video interview of Suspect Felix by Lt. Malone in Exhibit B. IAB investigators reviewed Suspect Felix' medical treatment report which indicated blood was present in his rectum when examined by the ER doctor, however, no evidence of damage or tears to Suspect Felix' rectum was found. None of the civilian witnesses nor involved and witness deputies stated anything regarding Suspect Felix' allegation, nor was it captured on the video taken by Witness [redacted].

IAB investigators were unable to find evidence to corroborate Suspect Felix' allegation regarding penetration of his rectum with a baton or any other device. IAB investigators viewed Suspect Felix' pants and underwear. No evidence of tears, damage or blood were found and all the fasteners were operable. IAB investigators photographed the clothing and a CD with the photographs is included in the Miscellaneous section of this investigation.